

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

(1)	LODA OKLA, LLC and)	
(2)	VICTORIA TIME CORP.,)	
)	
	Plaintiffs and Judgment)	
	Creditors,)	
)	
v.)	
)	
(3)	MICKEY JOE OVERALL,)	
(4)	GINETTE LEE OVERALL, and)	
(5)	AMERICAN NATURAL)	
	RESOURCES, LLC,)	
)	
	Defendants and)	
	Judgment Debtors.)	

Case No. 13-CV-191-GKF-FHM

**APPLICATION FOR ORDER DIRECTING JUDGMENT DEBTORS TO
ATTEND ASSET HEARING AND ENJOINING JUDGMENT DEBTORS
FROM TRANSFERRING PROPERTY**

Pursuant to OKLA. STAT. tit. 12 § 842(A) and Federal Rules of Civil Procedure 64 and 69, Judgment Creditors Loda Okla, LLC and Victoria Time Corp. move the Court for an Order directing Judgment Debtors American Natural Resources, LLC (“ANR”) to appear through its representative and Mickey Overall and Ginette Overall to appear personally for asset hearings to be held at the United States District Court for the Northern District of Oklahoma and answer, under oath, questions concerning their nonexempt property that may be used to satisfy the judgment against them in this action. The hearings will be recorded stenographically.

Judgment Creditors further move the Court for an order enjoining Mickey Overall and Ginette Overall and their representatives, assigns, or agents and ANR and its members, managers, employees, successors, representatives, assigns, or agents from transferring, selling, concealing, or otherwise disposing of Mickey Overall, Ginette Overall, and ANR's nonexempt property pending completion of the asset hearing or until further order of the Court. In support of this Application, Judgment Creditors state as follows:

1. On March 30, 2015, the Court entered judgment in favor of Loda Okla, LLC and Victoria Time Corporation and against ANR in the principal amount of \$4,650,944.99, plus accrued pre-Award interest in the amount of \$303,955, plus accrued post-Award but pre-judgment interest in the amount of \$187,437.76 for a total amount of \$5,142,337.75. (See Judgment, Dkt. #54).
2. On March 30, 2015, the Court entered judgment in favor of Loda Okla, LLC and Victoria Time Corporation and against ANR, Mickey Overall, and Ginette Overall, jointly and severally, in the principal amount of \$1,502,163.50, plus accrued pre-Award interest in the amount of \$583,280, plus accrued post-Award but pre-judgment interest in the amount of \$78,889.76 for a total amount of \$2,164,333.26. (See Judgment, Dkt. #54).
3. The Judgment provided that interest shall accrue at a rate of 0.26% from the date of the Judgment until paid.
4. The Judgment remains unpaid since its entry.
5. Upon information and belief, Mickey and Ginette Overall previously declared Chapter 7 bankruptcy in 2001. *See* Case No. 01-bk-3289 (Bankr. N.D. Okla. filed July 19, 2001).
6. The Judgment is predicated on fraudulent conduct, heightening Judgment Creditors' concern that fraudulent transfers of nonexempt property might occur.
7. Based upon the Overalls' representations during the arbitration, the Judgment Debtors do not have sufficient funds to pay the entire judgment.

8. The Overalls have caused or allowed the transfer of ANR assets to other entities since the Arbitration Award was entered.
9. Pending an asset hearing or further order of the Court, there is a significant risk that ANR, Mickey Overall or Ginette Overall, or their representatives, assigns, or agents will further transfer, sell, conceal, or otherwise dispose of nonexempt property that could be applied to satisfy the Judgment.

Accordingly, Judgment Creditors respectfully requests the Court to enter an order

- (i) directing ANR, Mickey Overall, and Ginette Overall to appear for asset hearings to answer concerning their nonexempt property that may be used to satisfy the Judgment and to produce all items listed on Exhibit A of this Application at the asset hearing, and
- (ii) enjoining ANR, Mickey Overall and Ginette Overall and any of their respective representatives, assigns, or agents from transferring, selling, concealing, or otherwise disposing of any nonexempt property of, or received from, ANR and/or Mickey Overall and/or Ginette Overall, pending further order of the Court. A proposed Order is submitted with this Application.

DATED this 14th day of April, 2015.

Respectfully submitted,

/s/ Graydon D. Luthey, Jr.

Graydon D. Luthey, Jr., OBA No. 5568

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**ATTORNEY FOR CLAIMANTS/MOVANTS LODA
OKLA, LLC AND VICTORIA TIME CORP.**

EXHIBIT A

1. All documents *including but not limited to* titles, deeds, and account records, providing information regarding all property, real or personal, owned by, ANR, Mickey Overall, or Ginette Overall, including detailed information regarding the current location(s) of all such property.
2. All documents reflecting or identifying all other assets of ANR, Mickey Overall, or Ginette Overall, including but not limited to those pertaining to stocks, bonds, mutual funds, options, certificates of deposit, letters of credit, money orders, checks, promissory notes, other negotiable instruments, prepaid expenses, retainer or escrow funds, and all other securities, accounts, or negotiable instruments held; any oil, gas, or mineral interests of any nature; any right to the proceeds of an insurance policy or other beneficial interest, such as under a will, estate, trust, or foundation; or any interest in a judgment against a third party. Please also provide all records of the current location(s) of all such assets.
3. Records providing information regarding any and all bank account(s), including checking account(s), savings account(s), deposit account(s) or any other account(s) or fund(s) of money in which ANR, Mickey Overall, or Ginette Overall have any interest. Included in this item are records indicating the current balance of each account and/or fund, the bank or other institution where each is located, and the respective account number(s).
4. All documents reflecting all rights of withdrawal or deposit ANR, Mickey Overall, or Ginette Overall have in any checking account, savings account, deposit account or any other account or fund of money.
5. Tax returns for ANR, Mickey Overall, or Ginette Overall for the years 2013, 2014, and 2015.
6. All titles and keys to all vehicles owned by ANR, Mickey Overall, or Ginette Overall.
7. Records of all funds of ANR, Mickey Overall, or Ginette Overall that are on account with any attorney.
8. All documents reflecting a right to receive funds from any source whatsoever, now or in the future, held by ANR, Mickey Overall, or Ginette Overall.
9. All documents reflecting the existence of any liens or claims of any kind against any of the assets or other items listed in numbers 1 through 8 above.

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of April, 2015, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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/s/ Graydon D. Luthey, Jr.